

shall initiate a study of allegations of harassment by Canadian Customs agents for the purpose of deterring cross-border commercial activity along the United States-New Brunswick border. Such study shall include a review of the possible connection between any incidents of harassment with the discriminatory imposition of the New Brunswick Provincial Sales Tax (PST) tax on goods purchased in the United States by New Brunswick residents, and with any other activities taken by the Canadian provincial and Federal Governments to deter cross-border commercial activities.

(2) In conducting the study in subparagraph (1), the Commissioner shall consult with representatives of the State of Maine, local governments, local businesses, and any other knowledgeable persons that the Commissioner deems important to the completion of the study.

(b) REPORT.—Not later than 120 days after enactment of this Act, the Commissioner of the United States Customs Service shall submit to Congress a report of the study and review detailed in subsection (a). The report shall also include recommendations for steps that the United States Government can take to help end harassment by Canadian Customs agents found to have occurred.

SEC. 334. SENSE OF CONGRESS ON THE DISCRIMINATORY APPLICATION OF THE NEW BRUNSWICK PROVINCIAL SALES TAX.

(a) FINDINGS.—The Congress finds that—

(1) in July 1993, Canadian Customs officers began collecting an 11 percent New Brunswick Provincial Sales Tax (PST) tax on goods purchased in the United States by New Brunswick residents, an action that has caused severe economic harm to United States businesses located in proximity to the border with New Brunswick;

(2) this impediment to cross-border trade compounds the damage already done from the Canadian government's imposition of a 7 percent tax on all goods bought by Canadians in the United States;

(3) collection of the New Brunswick Provincial Sales Tax on goods purchased outside of New Brunswick is collected only along the United States-Canadian border—not along New Brunswick's borders with other Canadian provinces—thus being administered by Canadian authorities in a manner uniquely discriminatory to Canadians shopping in the United States;

(4) in February 1994, the United States Trade Representative (USTR) publicly stated an intention to seek redress from the discriminatory application of the PST under the dispute resolution process in chapter 20 of the North American Free Trade Agreement (NAFTA), but the United States Government has still not made such a claim under NAFTA procedures; and

(5) initially, the USTR argued that filing a PST claim was delayed only because the dispute mechanism under NAFTA had not yet been finalized, but more than a year after such mechanism has been put in place, the PST claim has still not been put forward by the USTR.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Provincial Sales Tax levied by the Canadian Province of New Brunswick on Canadian citizens of that province who purchase goods in the United States raises questions about the possible violation of the North American Free Trade Agreement in its discriminatory application to cross-border trade with the United States and damages good relations between the United States and Canada; and

(2) the United States Trade Representative should move forward without further delay in seeking redress under the dispute resolution process in chapter 20 of the North American Free Trade Agreement for the discriminatory application of the New Brunswick Provincial Sales Tax on United States-Canada cross-border trade.

SEC. 335. FEMALE GENITAL MUTILATION.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) the practice of female genital mutilation is carried out by members of certain cultural and religious groups within the United States;

(2) the practice of female genital mutilation often results in the occurrence of physical and psychological health effects that harm the women involved;

(3) such mutilation infringes upon the guarantees of rights secured by Federal and State law, both statutory and constitutional;

(4) the unique circumstances surrounding the practice of female genital mutilation place it beyond the ability of any single State or local jurisdiction to control;

(5) the practice of female genital mutilation can be prohibited without abridging the exercise of any rights guaranteed under the First Amendment to the Constitution or under any other law; and

(6) Congress has the affirmative power under section 8 of article I, the necessary and proper clause, section 5 of the Fourteenth Amendment, as well as under the treaty clause of the Constitution to enact such legislation.

(b) CRIMINAL CONDUCT.—

(1) IN GENERAL.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following new section:

“§ 116. Female genital mutilation

“(a) Except as provided in subsection (b), whoever knowingly circumcises, excises, or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person who has not attained the age of 18 years shall be fined under this title or imprisoned not more than 5 years, or both.

“(b) A surgical operation is not a violation of this section if the operation is—

“(1) necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or

“(2) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

“(c) In applying subsection (b)(1), no account shall be taken of the effect on the person on whom the operation is to be performed of any belief on the part of that or any other person that the operation is required as a matter of custom or ritual.

“(d) Whoever knowingly denies to any person medical care or services or otherwise discriminates against any person in the provision of medical care or services, because—

“(1) that person has undergone female circumcision, excision, or infibulation; or

“(2) that person has requested that female circumcision, excision, or infibulation be performed on any person; shall be fined under this title or imprisoned not more than one year, or both.”.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 7 of title 18, United States Code, is amended by adding at the end the following new item:

“116. Female genital mutilation.”.

(c) EFFECTIVE DATE.—Subsection (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

ORDERS FOR TUESDAY, MAY 7, 1996

Mr. DOLE. Mr. President, I ask unanimous consent when the Senate completes its business today it stand in adjournment until the hour of 9 a.m. on Tuesday, May 7; further, that immediately following the prayer, the Journal of proceedings be deemed approved

to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and there then be a period for morning business until the hour of 10:30 a.m., with Senators to speak for up to 5 minutes each with the following Senators to speak for the designated times: Senator HUTCHISON, 60 minutes; Senator MURKOWSKI, 15 minutes; Senator BURNS, 5 minutes.

I further ask that immediately following morning business, the Senate resume consideration of H.R. 2937.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I ask unanimous consent the Senate stand in recess between the hours of 12:30 and 2:15 p.m. tomorrow for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DOLE. Mr. President, for the information of all of my colleagues, we will resume consideration of the White House Travel Office legislation tomorrow morning. There will be a cloture vote at 2:15 on that measure, and under the rules of cloture, second-degree amendments must be filed with the clerk by 12:30 on Tuesday. It is hoped the Senate could dispose of the White House Travel Office bill by the close of business Tuesday. Rollcall votes could therefore be expected throughout Tuesday's session of the Senate.

As I understand it, there really is no objection to the underlying bill, the travel office bill, the reimbursement to Billy Dale and others, and there should not be any objection. I guess the objection is we filled up the tree, so to speak, and other additional amendments cannot be offered.

Tomorrow I will submit to the Democratic leader, my colleague, Senator DASCHLE, a proposal on gas tax. Tomorrow is tax freedom day. It will be a great day to send a message, a small message but a message to the American taxpayers that we are going to relieve at least some of their burden. It is about a \$5 billion per year burden, a 4.3-cent gas tax which was made permanent in 1993 in the Clinton tax increase bill, which amounted to \$265 billion. So we hope we might get consent to take up the gas tax, attach it to the taxpayers bill of rights, which is pending at the desk, pass it with one amendment, send it to the House and the House will take action.

We are now working on how we pay for the repeal of the tax. Obviously we want to pay for it. We are not going to add to the deficit. I will visit with the Democratic leader about that tomorrow and also offer a proposal on minimum wage, where we might take up the minimum wage, under what conditions, so that we might proceed with the business of the Senate and not have to file cloture on every bill.

I know the Democrats feel strongly about their issues. We feel strongly

about some of ours. So, hopefully, we can resolve these by agreement. If not, we will just have to see what happens.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. DOLE. Mr. President, if there is no further business to come before the Senate, I now ask the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 4:53 p.m., adjourned until Tuesday, May 7, 1996, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate on May 6, 1996:

DEPARTMENT OF STATE

JOHN F. HICKS, SR., OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF ERITREA.

ALAN R. MCKEE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SWAZILAND.

ARLENE RENDER, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZAMBIA.

STANLEY N. SCHRAGER, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF DJIBOUTI.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE.

JUDGE ADVOCATE GENERAL

To be lieutenant colonel

WAYNE E. ANDERSON, 000-00-0000

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE RESERVE OF THE ARMY, WITHOUT CONCURRENT ORDER TO ACTIVE DUTY, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 12203(A), 12204(A), 3353, AND 3359.

DENTAL CORPS

To be lieutenant colonel

TIMOTHY J. COEN, 000-00-0000
RANDY J. EBERLY, 000-00-0000
JOEL C. KNUTSON, 000-00-0000
REGINALD J. LANKFORD, 000-00-0000
VICTORIA L. SEARCY, 000-00-0000

MEDICAL CORPS

To be lieutenant colonel

MARIO H. ALVARADO, 000-00-0000
HERMAN V. DEVERA, 000-00-0000
MICHAEL F. LYONS II, 000-00-0000
EDWINA J. POPEK, 000-00-0000

VETERINARY CORPS

To be lieutenant colonel

RONALD E. BANKS, 000-00-0000

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTION 624 OF TITLE 10, UNITED STATES CODE. THE OFFICERS MARKED BY AN ASTERISK (*) ARE ALSO NOMINATED FOR REGULAR APPOINTMENT IN ACCORDANCE WITH SECTION 531 OF TITLE 10, UNITED STATES CODE.

To be lieutenant colonel MEDICAL SERVICE CORPS

GARY F. ATKINS, 000-00-0000
THOMAS M. BAILEY, 000-00-0000
LOUIE M. BANKS III, 000-00-0000
STEPHEN T. BECK, 000-00-0000
MARSHA L. BLOODWORTH, 000-00-0000
RICHARD L. BOND, 000-00-0000
*FRED H. BROWN, 000-00-0000
JOHN J. CIESLA, 000-00-0000
ANDRE D. CLARK, 000-00-0000
JAY M. CLARK, 000-00-0000
DAVID J. COREY, 000-00-0000
DAVID W. CRAFT, 000-00-0000
JAMES E. CROWTHER, 000-00-0000
CARL A. CURLING, 000-00-0000
GREGORY C. DEMPSEY, 000-00-0000
SHERMAN A. DUNLOW, 000-00-0000
VICTOR EILENFELD, 000-00-0000
RONALD E. ESKEW, 000-00-0000
WILLIAM D. EVANS, 000-00-0000
JOHN J. FELICIO, 000-00-0000
DEBRA D. FRANCO, 000-00-0000
WILLIAM R. FRY, 000-00-0000
FREDERICK GARGIULO, 000-00-0000
JOHNNY C. GARNETT, 000-00-0000
DEBORAH GILBERTSON, 000-00-0000
MICHAEL GOODWIN, 000-00-0000
JAMES E. GORDON, 000-00-0000
JOHN D. GRABENSTEIN, 000-00-0000
MAX GROGL, 000-00-0000
MICHAEL C. GUNN, 000-00-0000
DALE A. HAAK, 000-00-0000
ISIAH M. HARPER, 000-00-0000
CHARLES M. HARRIS, 000-00-0000
HERMAN HARRIS JR., 000-00-0000
DONALD L. HARRISON, 000-00-0000
BILLY W. HAYDON, 000-00-0000
DAVID R. HEIER, 000-00-0000
SCOTT HENDRICKSON, 000-00-0000
EVERETTE J. HORNE, 000-00-0000
CHARLES C. HUME, 000-00-0000
CARL G. JACKA II, 000-00-0000
*LARRY C. JAMES, 000-00-0000
DAVID E. JONES, 000-00-0000
CHARLES S. KELLER, 000-00-0000
PAULINE KNAPP, 000-00-0000
ARTHUR P. LEE, 000-00-0000
JED S. LEWIS, 000-00-0000
*MARK S. LUND, 000-00-0000
WILLIAM P. MAHR, 000-00-0000
POLLYANN MARCIESKI, 000-00-0000
SCOTT C. MARTIN, 000-00-0000
BRIAN E. MAVES, 000-00-0000
JANICE E. MCCREARY-WATSON, 000-00-0000
ROBERT H. MINNICK, 000-00-0000
KEVIN P. MONAHAN, 000-00-0000
WENDELL A. MOORE, 000-00-0000
THOMAS G. MUNDIE, 000-00-0000
CINDY K. MUSSELL, 000-00-0000
*JEFFREY T. NORTON, 000-00-0000
*CHARLES E. OLIVER, 000-00-0000
ROBERT W. PIPKIN, 000-00-0000
DAVID H. PRATT, 000-00-0000
REGINALD L. PUGH, 000-00-0000
BEDE V. RAMCHARAN, 000-00-0000
JOYCE M. RICE, 000-00-0000
*WILLIAM H. RIVARD, 000-00-0000
PATRICIA A. RUIZWIGGER, 000-00-0000
MARK A. SEYMOUR, 000-00-0000
*THOMAS C. SHANK, 000-00-0000
*JEFFREY J. SIKORSKI, 000-00-0000
DARYL L. SPENCER, 000-00-0000
KIM C. STRUNZ, 000-00-0000
HEATHER N. TYREMAN, 000-00-0000
KENNETH WADE, 000-00-0000
FREDERIC J. WATKE, 000-00-0000
LINWOOD WENTWORTH, 000-00-0000
DONALD L. WESTON, 000-00-0000
STEPHEN WILKINSON, 000-00-0000
DEBRA A. ZANKL, 000-00-0000

To be lieutenant colonel MEDICAL SPECIALIST CORPS

JOHN P. BURDISH, 000-00-0000
*LEONARD I. CANCIO, 000-00-0000
LAURA H. KOSTNER, 000-00-0000
MARY E. LAEDTKE, 000-00-0000
*MARY S. LOPEZ, 000-00-0000
JOAN M. LYON, 000-00-0000
LANG T. PHAM, 000-00-0000
DEBORAH M. STETTS, 000-00-0000
*WILLIAM L. TOZIER, 000-00-0000
KATHLEEN S. ZURAWEL, 000-00-0000

To be lieutenant colonel VETERINARY CORPS

RICHARD A. HARRIS, 000-00-0000
*ALAN D. KING, 000-00-0000
KEARY M. KRAUSE, 000-00-0000
*MICHAEL C. MAGEE, 000-00-0000
DONALD A. MCLEAN, 000-00-0000
JEFFREY E. MELANDER, 000-00-0000
*ROGER W. PARKER, 000-00-0000
JOHN P. SKVORAK, 000-00-0000
JAMES R. SWEARENGEN, 000-00-0000
CLIFFORD L. WALKER, 000-00-0000
JACK M. WEDAM, 000-00-0000

To be lieutenant colonel

NURSE CORPS

MELINDA E. BALDRIDGE, 000-00-0000
*MARIA T. BRYANT, 000-00-0000
*DEBORAH J. CANNON, 000-00-0000
DAVID L. CARDEN, 000-00-0000
SUSANNE J. CLARK, 000-00-0000
TIMOTHY A. COFFEY, 000-00-0000
BEVERLY A. CORNETT, 000-00-0000
MICHAEL H. CUSTER, 000-00-0000
*DONNA S. DAMPIER, 000-00-0000
ANGELIA E. DURRANCE, 000-00-0000
JULIE M. ELDRED, 000-00-0000
AMY M. ERTTER, 000-00-0000
JOHN M. FIERRO, 000-00-0000
BETH B. FOLEY, 000-00-0000
GAIL E. FORD, 000-00-0000
LEANA A. FOXJOHNSON, 000-00-0000
DARLENE M. GILCREAST, 000-00-0000
VINCENT E. GILDDEN, 000-00-0000
GREGORY P. GRANT, 000-00-0000
DARRELL L. GREENE, 000-00-0000
LINDA M. GROETKEN, 000-00-0000
JEANETTE C. HAMMOND, 000-00-0000
*MARY D. HARDY, 000-00-0000
*VANESSA C. HETMANSKY, 000-00-0000
*ELIZABETH E. HILL, 000-00-0000
AWILDA V. HOLLAND, 000-00-0000
*BRENDA D. HOLLMANALBERTIUS, 000-00-0000
LAURIE S. HORN, 000-00-0000
*EVA M. HORNE, 000-00-0000
PARTICIA D. HOROHO, 000-00-0000
*PAULETTE D. HUTCHINS, 000-00-0000
JOSEPH C. KISER, 000-00-0000
*MICHAEL J. KUSEK, 000-00-0000
*LOURDES M. LEANDRY, 000-00-0000
DONALD H. LISH, 000-00-0000
PETER J. LOOK, 000-00-0000
PAMELA A. MANIACI, 000-00-0000
*TONI K. MASSENBURG, 000-00-0000
CYNTHIA A. MCINNIN, 000-00-0000
CAROL A. MCNEILL, 000-00-0000
MICHAEL R. MEHLHAFF, 000-00-0000
MARIE L. MENTOR, 000-00-0000
JUNE A. MIKKILA, 000-00-0000
ALLISON L. MIRAKIAN, 000-00-0000
JOHN M. MODELL, 000-00-0000
*ALFREDO E. MONTALVO, 000-00-0000
DONNA W. MOORE, 000-00-0000
*DAISY MUNOZRAMOS, 000-00-0000
*SHANNON M. OGRADY, 000-00-0000
LU A. PERALTA, 000-00-0000
*CONSTANCE PERKINS, 000-00-0000
STEVEN L. PERRY, 000-00-0000
RICHARD RICCIARDI, 000-00-0000
*PHILLIP J. RICE, 000-00-0000
ROBERT E. RITZ, 000-00-0000
*PEDRO I. RIVERA, 000-00-0000
CLIFTON E. ROBERTS, 000-00-0000
MICHAEL J. ROBAY, 000-00-0000
LINDA D. ROBINETTE, 000-00-0000
*MARY M. SANDERS, 000-00-0000
HOWARD E. SCHLOSS, 000-00-0000
RITA A. SCHULTE, 000-00-0000
CHRISTOPHER J. SHAW, 000-00-0000
*KAREN SIBO, 000-00-0000
DOROTHY G. SINGLEY, 000-00-0000
DEBORAH V. STROSNIDER, 000-00-0000
JAMES A. STUTTS, 000-00-0000
KARENA L. TARRANT, 000-00-0000
REBECCA J. TORRANCE, 000-00-0000
*LILLIAN W. WILLIAMS, 000-00-0000
*LINDA A. WILLIAMS, 000-00-0000
*PAMELA Y. WILLIAMS, 000-00-0000
CONNORS A. WOLFORD, 000-00-0000
*JANICE L. WOOD, 000-00-0000